

REMARKS

Additionally, Applicant wishes to acknowledge with appreciation the Examiner's time in conducting the telephone interview on December 21, 2005.

Entry of the above amendments is respectfully requested. Claims 1 and 22 have been amended. Claims 1-15 and 22 are currently pending in the application. Favorable reconsideration to allowance of this application is respectfully requested in light of the foregoing amendments and remarks that follow.

1. Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 1-15 and 22 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. With this response, claims 1 and 22 have been amended to remove any limitations in claim 1 cited as being indefinite by the Examiner. Furthermore, with this response, Applicant has amended claims 1 and 22 to insert additional description for the terms "football mode" and "basketball mode". In each of claims 1 and 22, this is supported by the specification in order to more accurately define the terminology "football mode" and "basketball mode" in the claims.

In the telephone interview with Examiner Chambers, it was agreed that these changes to the claims did, in fact, render the terms "football mode" and "basketball mode" to be definite. Thus, Applicant believes that claims 1 and 22, as well as claims 2-15, which depend from claim 1, are definite and allowable. Applicant therefore respectfully requests that the Examiner withdraw the rejections to claims 1-15 and 22 based on 35 U.S.C. §112, second paragraph.

2. Rejection Under 35 U.S.C. §102(b)

The rejected of claim 22 under 35 U.S.C. §102(b) as being anticipated by Murchison, U.S. Patent Application Publication No. 2003/0236138, does respectfully traverse, because the published application does not include certain limitations from claim 22 or claim 21.

Initially, the '138 application was published on December 25, 2003, which is also the earliest date the '138 application can be used as a prior art reference. Because Applicant's application was filed on October 27, 2003, and was a conversion application initially filed on

October 28, 2002, in Applicant's opinion, the '138 application is not a proper prior art reference under 35 U.S.C. §102(b).

Nevertheless, after discussing the claims of the application with Examiner Chambers in a telephone interview on December 21, 2005, Applicant has amended each of claims 1 and 22 to specify that the central playing area includes distance lines marked only in the central area, and that the central playing area is separated from the pair of end zones by goal lines marked between the central area and the end zones. During the discussion with Examiner Chambers, it was suggested that limitations including of this type would most likely be able to differentiate the claims from the cited prior art.

In contrast, the '138 application does not disclose any central playing area including distance lines marked on the central area or separated from the pair of end zones by goal lines marked between the central area and the end zones as required by claims 1 and 22. As a result, Applicant believes that the subject matter of claims 1 and 22 is not shown or described in the '138 application, such that claims 1 and 22, as well as claims 2-15 which depend from claim 1, are allowable. Applicant therefore respectfully requests that the Examiner withdraw the rejection to claim 22.

CONCLUSION

It is submitted that claims 1-15 and 22 are in compliance with 35 U.S.C. §§ 112 and 102, and each define patentable subject matter. A Notice of Allowance is therefore respectfully requested.

The director is authorized to charge Deposit Account No. 50-1170 the amount of \$620.00 in payment of the fee for the Request for Continued Examination and fee for a two-month extension of time. However, should the Examiner consider any other fees to be payable in conjunction with this or any future communication, the director is authorized to charge any fee or credit any overpayment to Deposit Account No. 50-1170.

In view of the foregoing amendments and remarks, the application is believed to be in *prima facie* condition for allowance, and such action is respectfully requested.

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The Examiner is invited to contact the undersigned by telephone if it would help expedite the prosecution and allowance of this application.

Respectively submitted,



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